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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,008	02/25/2004	Ho Gyeong Yun	123034-05004911	9730
43569	7590	08/31/2005	EXAMINER	
MAYER, BROWN, ROWE & MAW LLP 1909 K STREET, N.W. WASHINGTON, DC 20006			PENG, CHARLIE YU	
			ART UNIT	PAPER NUMBER

2883

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/785,008	YUN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Charlie Peng	2883	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/785,008.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/13/2005</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PGPub 2002/0146227 to Suzuki et al. Suzuki et al. teaches an optical collimator module **100** that has a base member **104** (i.e., a bottom surface) with two holding members **103, 103'** (i.e., two outer walls), the two holding members **103, 103'** each has a hole (as indicated by the dashed lines **130, 130'** on included drawing Fig. 1(a) having additional labels by the examiner) with optical collimators **101, 101'** and optical cables **102, 102'** inserted therein, and wherein the three members form a U-shape. (See at least Fig. 1 and its description.) Although Suzuki et al. do not specifically place an optical device on the bottom surface, combining such a part is obvious and also disclosed in review of prior art by Suzuki et al., wherein an optical functional component **205**, in a similar U-shaped optical collimator module, is placed in a beam path **106** between two collimators/fiber cables. It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to place a functional optical component in the optical module by Suzuki et al. The motivation would be to enable optical functions such as switching (via a filter, a mirror, etc.), optical signal receiving (via a photodiode), or optical signal transmitting (via a laser, an LED, etc.)

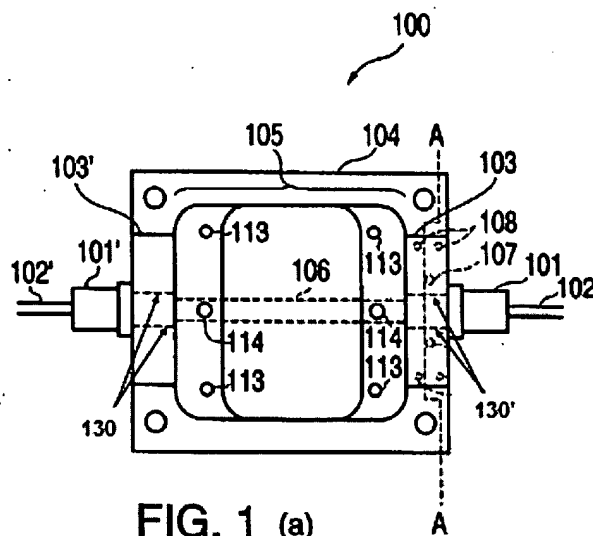


FIG. 1 (a)

With specific reference to claim 5, a collimator is known in the art as a lens.

With specific reference to claim 7, Suzuki et al. teaches stainless steel to be a preferred material for making the base and holding members. (See at least [0047])

With specific reference to claims 9 and 11, Suzuki et al. teach a ring 140 encircling the first collimator 101. The ring is also outlined by dashed lines 141 and placed within a hole 160 of an outer wall 111 of the base member 104. The hole 160 is substantially different in shape (square) and size from a second hole, in which the second collimator 101' is inserted. (See at least included drawing Figs. 4(a) and 4(b) having additional labels by the examiner and description.) A space 150 exists inside the hole 160, wherein alignment of the collimator 101 can be made by adjusting screws 112.

With specific reference to claim 13, Suzuki et al. teaches an outer wall 110 having a protrusive part at its bottom end so that the protrusive part can be inserted into a channel 109. (See at least Fig. 3(b) and description.)

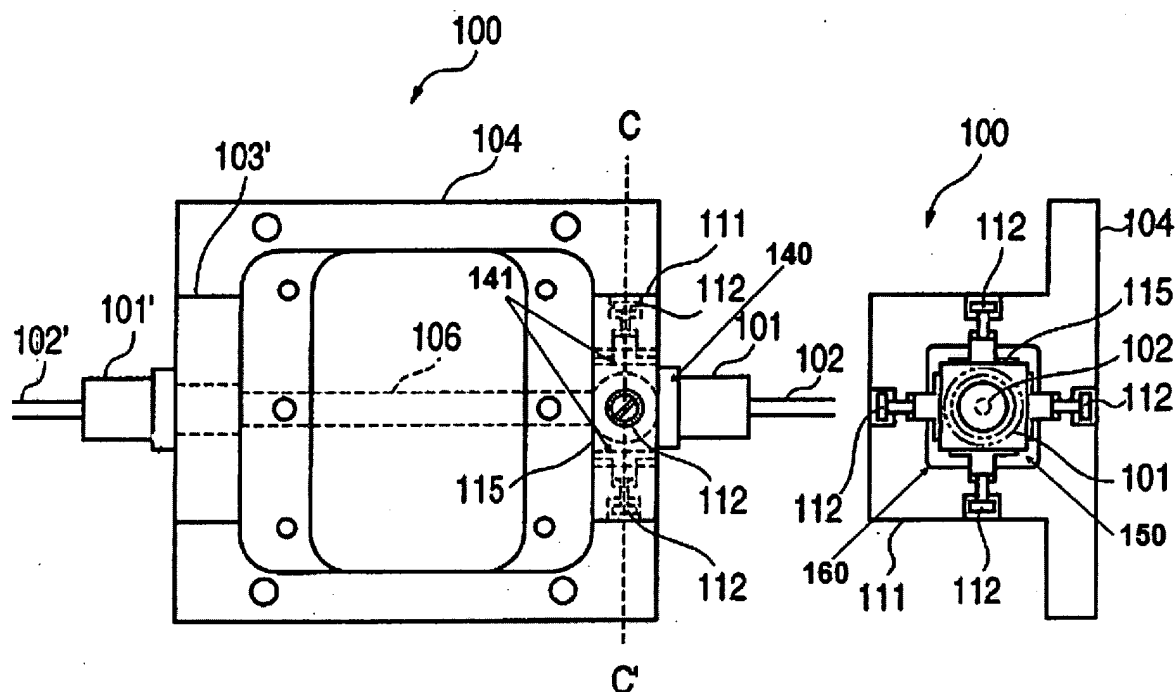


FIG. 4 (a)

FIG. 4 (b)

With specific references to claims 2, 4, 6, 8, 10, 12, 14, and 16, it is immediately obvious from at least Fig. 1(a) and its description in Suzuki et al. that the two outer walls 103, 103' are of different due to the fact that the outer wall 103 are shortened so screws 107, 108 can be placed between the outer wall 103 and the bottom surface.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form PTO-892 for additional references cited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlie Peng whose telephone number is (571) 272-2177. The examiner can normally be reached on 9 am - 6 pm M-F.

Art Unit: 2883

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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August 02, 2005



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